

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed July 31, 2003. In order to advance prosecution of this case, Applicants amend Claims 1, 2, 16, 28, 30, 32, 36, and 43. Applicants cancel Claims 4, 17, and 25-27 without prejudice or disclaimer. Applicants also add new Claims 47-62, which are fully supported by the specification as originally filed. Applicants respectfully request reconsideration and favorable action in this case.

Allowable Subject Matter

Applicants note with appreciation the Examiner's allowance of Claims 28-29 and 42-46. Applicants also note with appreciation the Examiner's indication that Claims 3-8 and 17-21 would be allowable if rewritten in independent form.

Claim Objections

The Examiner objects to Claim 30 for minor informalities. Applicants respectfully contest the Examiner's objection to Claim 30. Applicants respectfully note that "[t]he mere fact that the body of a claim recites additional elements which do not appear in the claim's preamble does not render the claim indefinite under 35 U.S.C. 112, second paragraph." MPEP § 2173.05(e). Applicants respectfully assert that Applicants have properly elected not to rely on the preamble for antecedent basis in Claim 30, and Claim 30 is allowable as amended. Applicants respectfully request reconsideration and allowance of amended Claim 30.

Section 112 Rejections

The Examiner rejects Claims 30-41 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully contest the Examiner's rejection to Claims 30-41. Applicants respectfully assert that the fact Applicants do not limit Claim 30 to a single of the alternatives advanced by the Examiner does not make the claim indefinite. Applicants respectfully note that the “[a]pplicants may use functional language, alternative expressions, negative limitations, or any style of expression or format of claim which makes clear the boundaries of the subject matter for which protection is sought.” MPEP § 2173.01. Furthermore, Applicants also respectfully note:

Breadth of a claim is not to be equated with indefiniteness. If the scope of the subject matter embraced by the claims is clear, and if applicants have not otherwise indicated that they intend the invention to be of a scope different from the defined in the claims, then the claims comply with 35 U.S.C. 112, second paragraph.

MPEP § 2173.04 (citation omitted).

Nothing in the specification or the surrounding language of Claim 30 necessitates further limiting the claim element in question. Claim 30 properly leaves open the possibility that the “circuit switched network” may represent the first network, the second network, or an unspecified third network. The only limitation to the element, as originally filed and as amended, is that the network be “circuit switched.” Thus, the scope of the claim is clear and Claim 30 as amended is allowable. Applicants respectfully request reconsideration and allowance of amended Claim 30 and its dependents.

Section 102 Rejections

The Examiner rejects Claims 25-27 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,490,274 issued to Kim ("Kim"). Applicants cancel claims 25-27 without prejudice or disclaimer, thereby obviating the Examiner's rejection.

Section 103 Rejections

The Examiner rejects Claims 1-2, 9-16, and 22-24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,377,570 issued to Vaziri et al. ("*Vaziri*"). Applicants amend Claims 1 and 16 to include all of the limitations of original Claims 4 and 17, respectively, thus placing Claims 1 and 16 in condition for allowance in accordance with the Examiner's indications. Additionally, Applicants cancel Claims 4 and 17, obviating the Examiner's objection to these Claims. As a result, Claims 2-3 and 5-15 now depend from allowable Claim 1, and Claims 18-24 now depend from allowable Claim 16. Thus, Claims 1-3, 5-16, and 18-24 are all allowable for at least these reasons. Applicants respectfully requests reconsideration and allowance of Claims 1-3, 5-16, and 18-24.

New Claims

Applicants add new Claims 47-62, which are fully supported by the specification as originally filed. New Claims 47, 50, 53, 55, 58, and 61 include elements substantially similar to original Claims 3, 5, 7, 18, 19, and 20, respectively, which the Examiner indicates would be allowable if rewritten in independent form. Thus, new Claims 47, 50, 53, 55, 58, and 61 are allowable for at least these reasons. Applicants respectfully request reconsideration and allowance of Claims 47, 50, 53, 55, 58, and 61 and their dependents.

Conclusions

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

A check in the amount of \$628.00 is enclosed to cover the fee for additional claims. No other fees are believed to be due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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Date: Oct 29, 2003

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